REMARKS

The present application was filed on February 21, 2002 with claims 1 through 19. Claims 4-7 were cancelled, without prejudice, in a previous response. Claims 1-3, 5, 6, and 8-19 are presently pending in the above-identified patent application.

In the Office Action, the Examiner rejected claims 1-3, 5, 6, and 12-16 under 35 U.S.C. §103(a) as being unpatentable over Dudkiewicz (United States Publication No. 2005/0172318) in view of Buehl (United States Publication No. 2002/0104093) and Rui (United States Patent No. 7,028,325), Abecassis (assumed to be United States Patent No. 6,408,128) and Emori (United States Patent No. 5,619,410). Claims 8-11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz, in view of Rui and Emori. Claim 19 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz, Rui and Emori as applied to claim 18 above, and further in view of Abecassis.

Independent Claims 1, 5, 8, 12, 14 and 18

Independent claims 1, 5, 12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dudkiewicz in view of Buehl, Rui, Abecassis, and Emori, and claims 8 and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dudkiewicz in view of Rui and Emori. Regarding claim 1, the Examiner acknowledges that Dudkiewicz, Buehl, Rui, and Abecassis fail to disclose calculating (an) importance level based on a probability, wherein the probability is determined from at least one of a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in the content segment, but asserts that Emori discloses this limitation (col. 9, lines 27-65).

Applicants note that, in the text cited by the Examiner, Emori teaches:

> Referring to FIG. 13, the frequency information acquisition means 1-10 acquires *the appearance frequency of each keyword candidate in the Japanese text data* to be processed, *indicating how many times the keyword candidate appears*; the number of morphemes constituting the whole Japanese text data (hereinafter called the total number of morphemes); and the class-by-class *frequencies of each keyword candidate, indicating how many times each keyword candidate appears in which case class*.
>
> More specifically, the keyword candidate "kensaku" appears once as a developed word of "johokensaku" in FIG. 12. This appearance is in "case class 1". This keyword candidate "kensaku" also appears once in the expression "kensaku no tokini" (at the time of retrieval). This appearance is in "case class 3". The keyword candidate "kensaku" further appears in the expression "kensaku dekiru" (can retrieve). This appearance is in "case class 1". Thus the word appears three

> times in total. Therefore the frequency information acquisition means 1-10, as shown in line 13-1 of FIG. 13, acquires the result of processing that "the frequency of appearance=3 times; the class-by-class frequency of appearance in class 1=2 times; the class-by-class frequency of appearance in class 2=0; the class-by-class frequency of appearance in class 3=1 time; and the class-by-class frequency of appearance in class 4=0".
>
> *The importance calculation means 1-11 calculates the overall importance of each keyword candidate as a keyword by using the "total number of morphemes" together with the appearance frequency and class-by-class appearance frequency of each keyword candidate*, acquired by the frequency information acquisition means 1-10. Thus the importance calculation means 1-11 calculates, with respect to each keyword candidate, the importance from a statistical viewpoint based on the frequency of appearance (hereinafter called the "frequency score") and the importance from the grammatical viewpoint based on the class-by-class frequency (hereinafter called the "score as case of a term"). *Then it calculates the "overall importance" by using these frequency score and score as case of a term.*
>
> (Col. 9, lines 27-65; emphasis added.)

Emori teaches *frequencies of each keyword candidate, indicating how many times each keyword candidate appears*; Emori does *not* disclose or suggest *importance levels based on a **probability**, wherein the probability is determined from a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in a content segment.*

Thus, Dudkiewicz, Buehl, Rui, Abecassis, and Emori, alone or in combination, do not disclose or suggest wherein the client includes a user profile having user profile content scores for at least one viewed content segment for a user, and wherein the digest server calculates importance levels for the at least one viewed content segment based on a probability and based on a current determined content score for the at least one viewed content segment, a user profile content score for the at least one viewed content segment, or both the current determined content score and the user profile content score, wherein the probability is determined from at least one of a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in the content segment, as variously required by independent claims 1, 5, 8, 12, 14, and 18.

Dependent Claims 2-4, 6-7, 9-11, 13, 15-17 and 19

Claims 2-4, 6-7, 9-11, 13, 15-17 and 19 are dependent on claims 1, 5, 8, 12, 14, and 18, respectively, and are therefore patentably distinguished over Dudkiewicz, Buehl, Rui, Abecassis, and Emori, alone or in combination, because of their dependency from amended independent claims 1, 5, 8, 12, 14, and 18 for the reasons set forth above, as well as other

elements these claims add in combination to their base claim.

All of the pending claims following entry of the amendments, i.e., claims 1-3, 5, 6, and 8-19, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,

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